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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/542,541

07/18/2005

Duck-Young Kim

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EXAMINER

CHOW, CHARLES CHIANG

ART UNIT

PAPER NUMBER

2618

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary**Application No.**

10/542,541

Applicant(s)

KIM, DUCK-YOUNG

Examiner

Charles Chow

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/18/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

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Detailed Action

Title

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The current title, "Portable Cellular Phone Holder which has an electric Charging Ability", is not descriptive for the key features of the invention, the terminal cap to selectively fit, cover, either the phone contact terminal or the charger contact terminal.

2. The abstract of the disclosure is objected to because the abstract contains the words "Disclosed herein", and the abstract should not be implied to the specification. Correction is required. See MPEP§ 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by US Liao (US 6,762,585 B2).

For claim 1, Liao discloses a portable cellular phone holder [Fig. 4, Fig. 8] having an electric charging function [charging mobile 70 from car lighter power source on 104, col. 3, lines 62-67], comprising

a main body to receive a cellular phone [10 receives mobile phone 70, Fig. 5] having a phone contact terminal [the connector for 56, 55 on module 52, as the phone contact terminal, Fig. 4, col. 3, lines 31-45],

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a charger part provided at a predetermined position of the main body [the charging power from charger part, 104, board 21, & first connector 24, at their predetermined position, Fig. 4] and having a charging terminal [first connector 24, as charging terminal, Fig. 4, col. 3, lines 46-56], and

terminal cap [combinational module 50] having a cap contact terminal [contacts of 55, 56] which electrically connects the phone contact terminal to the charging terminal [55, 56, connects to first connector 24 of charging terminal, via board 52, connector 59, col. 3, lines 51-56].

[Note: different cellular phone connects to different type of removable 50, col. 4, lines 1-18 & the removable 50 can be plugged into 24 of charger or phone connector].

For claim 2, Liao teaches the portable cellular phone holder [Fig. 4, Fig. 8] having the electric charging function [charging mobile 70 from power source on 104, col. 3, lines 62-67], wherein the charger part comprises a charger contact terminal [contacts 59, for 24] to be connected to an external charging jack [24 receives 59].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-6, 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liao in view of Huang (US 2002/0115,480 A1).

For claim 3, Liao teaches the portable cellular phone holder [Fig. 4, Fig. 8] having the electric charging function [charging mobile 70 from power source on 104, col. 3, lines 62-67], but fails to teach the feature in this claim.

Huang teaches the wherein the terminal cap is selectively fitted into and connected to the phone contact terminal or the charger contact terminal [the telephone connectors 73, 33, 63, as terminal cap in Fig. 6, is selectively fitted into the connection for different cellular telephones, or the charger contact terminal of connector 43 in Fig. 3, paragraph 0019-0020], for charging different cellular telephone. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Liao with Huang's different telephone connector 73, 33, 63, in order to upgrade the charger for charging different telephone.

For claim 4, Liao teaches the portable cellular phone holder [Fig. 4, Fig. 8] having the electric charging function [charging mobile 70 from power source on 104, col. 3, lines 62-67], but fails to teach the feature in this claim.

Huang teaches the further comprising a closure cap [43] to selectively cover the phone contact terminal or the charger contact terminal [the removable terminal connector 43 can be selectively placed to cover the phone contact terminal via 33, Fig. 3, or the 43 can selectively placed onto charger contact terminal of 453, Fig. 3], using the same reasoning above in claim 3 for combining Huang with Liao.

For claims 5, 9, Liao teaches the portable cellular phone holder having the electric charging function [Fig. 4, Fig. 8, charging mobile 70, col. 3, lines 62-67],

the wherein the main body [10] comprises a panel-type structure 11, 14] to support the cellular phone, and the charger part is integrated with the main body in a single structure [

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the charging part, 104, board 21, connector 24 is integrated into charger, Fig. 4, col. 2, 43-67].

For claims 6, 10, Liao teaches the portable cellular phone holder having the electric charging function [Fig. 4, Fig. 8, charging mobile 70, col. 3, lines 62-67],

the wherein the main body comprises a case-type structure to receive the cellular phone [the case type structure formed by 31, 11, 14 in Fig. 3, to receive mobile phone 70] and

the charger part therein with an opening [insertion hole 24a, Fig. 8] formed on the main body [11, 12, 14] at a position corresponding to the charger contact terminal [the charging connector 24 in charger body, for connecting to 59 of 50, col. 3, lines 46-56, Fig. 4].

5. Claims 7, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liao in view of Huang, as applied to claim 6 above, and further in view of Motson (US 6,612,432 B2).

For claims 7, 11, Liao teaches the portable cellular phone holder having the electric charging function [Fig. 4, Fig. 8, charging mobile 70, col. 3, lines 62-67], but fails to teach the feature in this claim.

Motson teaches the main body [Fig. 4-5] comprises a cover sheet [30] to open or close the opening [flap 30 covers or opens 26, in order to recharge the phone from bottom open 26, col. 3, lines 1-15, abstract]. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to Liao, Huang with Motson's convenient access the bottom open 26, in order to charge the phone from bottom access.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liao in view of Huang, as applied to claim 4 above, and further in view of Ou (US 2004/0204,163 A1).

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For claim 8, Liao teaches the portable cellular phone holder having the electric charging function [Fig. 4, Fig. 8, charging mobile 70, col. 3, lines 62-67], but fails to teach the further features for this claim.

Ou teaches the further comprising an LED to display a charging state of the cellular phone [the LED located on the charging controller 28 indicates charging status, paragraph 0023], in order to provide user about the charging status of the charger. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Liao, Huang, with Ou's LED for charging status, in order to provide user about the charging status of the charger.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. US 2002/0032,041 A1, Hirai et al. teaches a phone holder having cover 53 for opening 14a [Fig. 1].

B. US 2003/0148,740 A1, Yau et al. teaches a terminal holder cover for a telephone handset, which support the telephone handset [figure in cover page, abstract].

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Chow whose telephone number is (571) 272-7889. The examiner can normally be reached on 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the

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organization where this application or proceeding is assigned is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles Chow *CC*

August 1, 2006.


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